

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----x
JULIA PICHARDO,

Plaintiff, :

MEMORANDUM & ORDER-----x
-against- :

07 Civ. 6034 (BSJ) (MHD)

NEW YORK UNIVERSITY and
JANE DOE - student, :

Defendants. :

-----x
MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE:

USDC SDNY
MOTION
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/7/08

By letter dated June 6, 2008, counsel for defendant New York University seeks leave to withdraw defendant's motion to dismiss. (June 6, 2008 letter to the Court from Daniel J. Fox, Esq.). That request is granted, and defendant's motion to dismiss dated May 30, 2008 is deemed withdrawn.

At the same time defendant asks that we order plaintiff to fulfill her discovery obligations or face later dismissal. (*Id.*). We note that defendant served a set of document requests on plaintiff's then-counsel in September 2007, and that plaintiff never responded to them. Following the withdrawal of her attorney, she was given an opportunity to hire a replacement attorney (Endorsed Order dated Feb. 19, 2008), and she has neither done so nor provided responses to defendant's discovery demands despite repeated requests by its attorney that she do so. Under the

circumstances, we direct that plaintiff provide complete responses to defendant's long-pending document requests by no later than June 23, 2008. If she fails to do so, defendant may move by formal motion by no later than June 30, 2008 for appropriate relief, which may include dismissal of the complaint.

Dated: New York, New York
June 9, 2008



MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE

Copies of the foregoing Memorandum and Order have been mailed today to:

Ms. Julia Pichardo
P.O. Box 433
Hawthorne, New Jersey 07507

Daniel J. Fox, Esq.
Goldberg & Associates
39 Broadway
17th Floor
New York, New York 10006

**FAX Cover Sheet****Date:** JUNE 9 2008**To:** DANIEL JASON FOX, ESQ
FAX# (212) 968-2400

BY MAIL MS. JULIA PICHARDO

From: Magistrate Judge Michael H. Dollinger
United States District Court
Southern District of New York
500 Pearl Street, Room 1870
New York, New York 10007-1312**FAX (212) 805-7928****TELEPHONE NUMBER (212) 805-0204****This document contains 3 page(s), including this cover sheet**